



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Confirmation No.: 6832

Thomas E. Sawyer

Group Art Unit: 3713

Application No.: 10/659,469

Examiner: Nguyen, Kim T.

Filed: September 11, 2003

Attorney Dkt. No.: 026066-00006

For: ROYAL GAME AND METHOD OF PLAYING

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

September 13, 2004

Sir:

This election is being made in response to the Office Action dated August 11, 2004, which identified two (2) patentably distinct species of the claimed invention and required the Applicant, under 35 U.S.C. § 121, to elect a single species for prosecution on the merits. The two species identified in the Office Action are:

**Species I.** Figs. 3-4, drawn to playing a card game at a terminal; and

**Species II.** Fig. 1, drawn to playing a game at a gaming table.

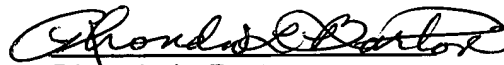
Pursuant to the election of species requirement, the Applicant elects prosecution on the merits of Species I, drawn to playing a card game at a terminal, without traverse. The Applicant submits that this species is recited in claims 16-27. The Applicant also reserves the right to file a divisional application directed to the non-elected species.

As noted in the Office Action, claims 1-15 are generic. Therefore, upon allowance of claims 1-15, the Applicant requests a rejoinder of the claims.

With the above election, the Applicant respectfully submits that the application is in condition for examination on the merits. An early examination and favorable action is respectfully solicited.

In the event this paper is not considered to be timely filed, the Applicant respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to Counsel's Deposit Account No. 01-2300, **referencing attorney docket number 026066-00006.**

Respectfully submitted,



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